

DRAFT APPENDIX- DEFINITIONS November 2022

DEFINITIONS:

American Indian and Alaska Native (AI/AN): Persons belonging to the tribal nations of the Continental United States (American Indians) and the tribal nations and villages of Alaska (Alaska Natives).

Consultation: A process of meaningful communication and coordination between the [INSERT AGENCY NAME HERE] and a tribal government leadership prior to considering a [INSERT AGENCY NAME HERE] policy, agreement or program implementation that may affect Tribes. Consultation includes seeking, discussing, and considering the views of federally recognized tribal governments regarding a State action or decision. Consultation consists of respectful, meaningful, and effective two-way communication, to achieve mutual understanding between the [INSERT AGENCY NAME HERE] and a Tribe of their respective interests and perspectives before the [INSERT AGENCY NAME HERE] makes its decision or moves forward with its action. As a process, consultation includes several methods of interaction that may occur at different levels. The appropriate level of interaction is determined by past and current practices, adjustments made through this Policy, the continuing dialogue between the [INSERT AGENCY NAME HERE] and tribal governments, and program and regional procedures and plans.

Coordination: A process of working with tribes at a technical, program, project, and/or staff-to-staff level. Coordination is not a substitution for consultation when required under this policy

Employee: Permanent, temporary, or volunteer worker

Federally Recognized Tribes: Those Indian Tribes included on the list of Indian tribes eligible for special programs and services provided to Indians by the United States, which list is published annually by the Bureau of Indian Affairs pursuant to 25 USC § 479a-1. Federally recognized Tribes located in, or with rights in, Washington are listed on the Governor's Office of Indian Affairs website.

Government-to-Government Meeting: A planned and structured meeting, typically between the [INSERT AGENCY NAME HERE] Executive Director's office and one or more leaders of a Tribe.

Leadership Meeting: A meeting of leaders of multiple tribal governments. Generally, the [INSERT AGENCY NAME HERE] participation in a leadership meeting is not a substitute for offering government-to-government consultation with individual Tribes.

Native American: All Native people of the United States and its trust territories (i.e. American Indians, Alaska Natives, Native Hawaiians, Chamorros, and American Samoans), as well as persons from Canadian First Nations and Indigenous communities in Mexico and Central and South America who are U.S. residents.

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Project Lead: The person within the [INSERT AGENCY NAME HERE] designated or otherwise responsible for serving as the lead employee on a particular policy, agreement, or program proposal.

Significant Agency Action: The following actions as identified at the beginning of a covered agency's consideration of the significant agency action or at the time when an environmental justice assessment would normally be initiated in conjunction with an agency action:

- (a) The development and adoption of significant legislative rules as defined in RCW [34.05.328](#);
- (b) The development and adoption of any new grant or loan program that a covered agency is explicitly authorized or required by statute to carry out;
- (c) A capital project, grant, or loan award by a covered agency of at least \$12,000,000 or a transportation project, grant, or loan by a covered agency of at least \$15,000,000;
- (d) The submission of agency request legislation to the office of the governor or the office of financial management for approval; and
- (e) Any other agency actions deemed significant by a covered agency consistent with RCW [70A.02.060](#).

By July 1, 2023, and periodically thereafter, the agency must publish on its website the types of agency actions that the agency has determined are significant agency actions and provide notification of the determination of the types of significant agency actions in the Washington State Register, consistent with RCW [70A.02.060](#).

Tribal Liaison: The person designated by the [INSERT AGENCY NAME HERE] pursuant to RCW 43.376.030 to be responsible for serving as a contact person with tribal governments and maintaining communications between the [INSERT AGENCY NAME HERE] and affected tribal governments.

Tribal Sovereignty: The right of tribes, as "domestic dependent nations," to exercise self-determination and the right to self-government, unless these powers have been modified by treaty or by an act of Congress. Sovereignty ensures control over the future of the tribes and encourages preservation of tribal culture, religions, and traditional practices.